

**MINUTES OF THE**  
**FINANCE COMMITTEE**  
**WEDNESDAY, NOVEMBER 19, 2008**

At a meeting of the **Finance Committee**, held Wednesday, November 19, 2008, in the Board Room, on the 9<sup>th</sup> Floor of the Administration Building, Mount Clemens, the following members were present:

Slinde-Chair, Brdak, Brown, Bruley, Camphous-Peterson, Crouchman, DeSaele, DiMaria, Doherty, Duzyj, D. Flynn, J. Flynn, Gielegthem, Lund, Mijac, Rengert, Roberts, Rocca, Sauger, Switalski, Szczepanski, Tocco, Torrice and Vosburg.

Absent and excused were Drolet and Haggerty.

There being a quorum of the committee present, Chair Slinde called the meeting to order at 9:06 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**AGENDA**

**MOTION**

A motion was made by Camphous-Peterson, supported by Duzyj, to adopt the agenda, as amended (to include #10a). **The Motion Carried.**

**MINUTES**

**MOTION**

A motion was made by Duzyj, supported by Camphous-Peterson, to approve the August 13, 2008 minutes of this committee, as written. **The Motion Carried.**

**LIST OF BILLS AS PREPARED BY THE FINANCE DEPARTMENT**

**COMMITTEE RECOMMENDATION - MOTION**

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY TORRICE, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE MONTHLY BILLS (WITH CORRECTIONS, DELETIONS AND/OR ADDENDA) AND AUTHORIZE PAYMENT; FURTHER, TO APPROVE THE PAYROLL IN THE TOTAL AMOUNT OF \$16,126,568.88, WITH NECESSARY MODIFICATIONS TO THE APPROPRIATIONS.

The following Commissioner spoke: Vosburg.

Chair Slinde called for a vote on the motion and **THE MOTION CARRIED WITH TORRICE ABSTAINING FROM BILLS FOR TORRICE AND ZALEWSKI, PLLC/FEE-DEFENSE ATTORNEYS**).

**REVIEW AND DISCUSS ACTION PLAN FOR DEPENDENT ELIGIBILITY AUDIT**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY CAMPHOUS-PETERSON, SUPPORTED BY DUZYJ, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE ACTION PLAN FOR THE DEPENDENT ELIGIBILITY AUDIT AS OUTLINED IN A NOVEMBER 12, 2008 CORRESPONDENCE FROM THE ACTING DIRECTOR OF THE HUMAN RESOURCES DEPARTMENT.

Mr. Fouty provided an overview of the Dependent Eligibility Audit conducted by Next Generation. He introduced Mr. Bradley Taylor from Next Generation.

The following Commissioners spoke: Szczepanski, DeSaele, Roberts, Vosburg and Torrice.

**SUBSTITUTE COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY BRULEY, SUPPORTED BY DiMARIA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO SEND A CERTIFIED LETTER TO ALL EMPLOYEES AND RETIREES WHO HAVE NOT RESPONDED TO THE DEPENDENT ELIGIBILITY AUDIT AND ARE NOT IN COMPLIANCE; ANYONE WHO IS 75 YEARS OR OLDER WILL BE PERSONALLY CONTACTED BY THE HUMAN RESOURCES DEPARTMENT TO DETERMINE THEIR SITUATION; FOR THOSE NOT RESPONDING, THEIR RETIREMENT CHECK WILL BE HELD IN ABEYANCE UNTIL THEIR SITUATION IS STRAIGHTENED OUT; ONCE AN EMPLOYEE OR RETIREE TURNS IN THEIR AUDIT, THEY WILL BE REINSTATED IN THE PROGRAM.

Commissioner Duzyj requested a friendly amendment: TO INCLUDE THE COST OF COBRA IN THE LETTER. It was accepted by the maker and supporter.

**AMENDMENT**

A MOTION WAS MADE BY DOHERTY, SUPPORTED BY TOCCO, THAT NOTICES BE SENT TO ALL OUTSTANDING CASES BY REGULAR MAIL, CERTIFIED MAIL WITH RETURN RECEIPT OR A CALL TO THEIR HOME OR WORK, NO DISCIPLINARY ACTION BE TAKEN, IF PROOF IS PROVIDED, COVERAGE BE REINSTATED RETROACTIVELY.

Commissioner Tocco offered a friendly amendment: FOR ANY SENIOR OR RETIREE, THE ONLINE PROBATE RECORD IN THE COUNTY THEY RESIDE IN SHALL BE REVIEWED TO DETERMINE IF THEY HAVE A GUARDIAN. It was accepted by the maker and supporter.

The following Commissioners spoke: DeSaele, Doherty, Roberts, DiMaria and J. Flynn.

A ROLL CALL VOTE WAS TAKEN ON THE AMENDMENT AS FOLLOWS:

VOTING YES WERE DOHERTY AND LUND. THERE WERE 2 "YES" VOTES.

VOTING NO WERE BRDAK, BROWN, BRULEY, CAMPHOUS-PETERSON, DeSAELE, DiMARIA, DUZYJ, D. FLYNN, J. FLYNN, GIELEGHEM, MIJAC, RENGERT, ROBERTS, ROCCA, SAUGER, SWITALSKI, TOCCO, TORRICE, VOSBURG, SZCZEPANSKI AND SLINDE. THERE WERE 21 "NO" VOTES.

**THE MOTION WAS DEFEATED.**

Commissioner Vosburg offered a friendly amendment: A LETTER BE SENT FIRST CLASS AND CERTIFIED. It was accepted by the maker and supporter.

Chair Slinde called for a vote on the motion and **THE MOTION CARRIED.**

The motion now reads as follows:

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY BRULEY, SUPPORTED BY DiMARIA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO SEND A FIRST CLASS AND CERTIFIED LETTER, TO INCLUDE THE COST OF COBRA, TO ALL EMPLOYEES AND RETIREES WHO HAVE NOT RESPONDED TO THE DEPENDENT ELIGIBILITY AUDIT AND ARE NOT IN COMPLIANCE; ANYONE WHO IS 75 YEARS OR OLDER WILL BE PERSONALLY CONTACTED BY THE HUMAN RESOURCES DEPARTMENT TO DETERMINE THEIR SITUATION; FOR THOSE NOT RESPONDING, THEIR RETIREMENT CHECK WILL BE HELD IN ABEYANCE UNTIL THEIR SITUATION IS STRAIGHTENED OUT; ONCE AN EMPLOYEE OR RETIREE TURNS IN THEIR AUDIT, THEY WILL BE REINSTATED IN THE PROGRAM; FOR ANY SENIOR OR RETIREE, THE ONLINE PROBATE RECORD IN THE COUNTY THEY RESIDE IN SHALL BE REVIEWED TO DETERMINE IF THEY HAVE A GUARDIAN. **THE MOTION CARRIED.**

**AUTHORIZE THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT TO WORK WITH FINANCE AND INFORMATION TECHNOLOGY DEPARTMENTS TO DEVELOP PROCEDURES TO ACCEPT ONLINE REGISTRATIONS AND CREDIT CARD PAYMENTS FOR MACOMB COUNTY (RECOMMENDED BY PED COMMITTEE ON 11-12-08)**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY TORRICE, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO WORK WITH THE FINANCE DEPARTMENT AND INFORMATION TECHNOLOGY DEPARTMENT TO DEVELOP PROCEDURES TO ACCEPT ONLINE REGISTRATIONS AND CREDIT CARD PAYMENTS FOR MACOMB COUNTY. **THE MOTION CARRIED.**

**REPORT BY CORPORATION COUNSEL RE: PROPOSED FEE SCHEDULE FOR APPOINTMENT OF LAW FIRMS (REQUESTED AT 9-24-08 MEETING)**

**MOTION**

A motion was made by Sauger, supported by Torrice, to receive and file the report distributed by Corporation Counsel regarding proposed fee schedule for appointment of law firms.

Mr. Brumbaugh provided an overview.

The following Commissioners spoke: Tocco and Bruley.

Chair Slind called for a vote on the motion and **The Motion Carried.**

**APPOINTMENT OF LAW FIRM**

**MOTION**

A motion was made by Brown, supported by Vosburg, to appoint the law firm of Blomberg, Anderson, P.C. to represent the Macomb County Public Works Commissioner in the litigation entitled Rosalie Wing v Macomb Township and Macomb County Public Works Commissioner. **The Motion Carried.**

**ELIMINATION OF TRANSPORTATION SPECIALIST POSITION FROM COMMUNITY SERVICES AGENCY'S BUDGET**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY CAMPHOUS-PETERSON, SUPPORTED BY DUZYJ, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ELIMINATE THE TRANSPORTATION SPECIALIST POSITION FROM COMMUNITY SERVICES AGENCY'S (MCCSA) BUDGET. **THE MOTION CARRIED.**

**ADOPT RESOLUTION COMMENDING DETECTIVE DEREK McLAUGHLIN FOR YEARS OF DEDICATED SERVICE (OFFERED BY DiMARIA)**

Chair Slind requested the addition of a resolution for Mr. Paul's Chop House.

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY SAUGER, SUPPORTED BY J. FLYNN, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT THE FOLLOWING RESOLUTIONS:

COMMENDING DETECTIVE DEREK McLAUGHLIN FOR YEARS OF DEDICATED SERVICE (OFFERED BY DiMARIA) AND

COMMENDING MR. PAUL'S CHOP HOUSE FOR 40 YEARS IN BUSINESS  
(OFFERED BY CROUCHMAN).

**THE MOTION CARRIED.**

**TRAVEL REQUESTS**

**MOTION**

A motion was made by Vosburg, supported by Camphous-Peterson, to approve the travel requests as submitted. **The Motion Carried.**

**EXECUTIVE SESSION TO DISCUSS CONFIDENTIAL CORRESPONDENCE  
FROM CORPORATION COUNSEL**

Mr. Brumbaugh stated that pending litigation will also be discussed.

**MOTION**

A motion was made by Duzyj, supported by Torrice, to enter into Executive Session for the purpose of discussing confidential correspondence from Corporation Counsel and pending litigation.

A roll call vote was taken as follows:

Voting Yes were Brdak, Brown, Bruley, Camphous-Peterson, Crouchman, DeSaele, Doherty, Duzyj, D. Flynn, Gielegghem, Lund, Rengert, Roberts, Rocca, Sauger, Switalski, Tocco, Torrice, Vosburg, Szczepanski and Slinde. There were 21 "Yes" votes.

**The Motion Carried.**

In accordance with the motion, committee entered Executive Session at 10:49 a.m., with it concluding at 1:02 p.m.

**CONCUR IN RECOMMENDATIONS OF CORPORATION COUNSEL**

**Potential Litigation as Outlined in Attorney/Client Privileged Communication  
from Corporation Counsel**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY DiMARIA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL AND RISK MANAGEMENT REGARDING POTENTIAL LITIGATION AS OUTLINED IN ATTORNEY/CLIENT PRIVILEGED COMMUNICATION OF CORPORATION COUNSEL. **THE MOTION CARRIED.**

**Case of LeBeau vs. County of Macomb, et al**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL AND OUTSIDE COUNSEL REGARDING THE CASE OF LeBEAU VS. COUNTY OF MACOMB, ET AL. **THE MOTION CARRIED.**

**Case of Yarbrough vs. Macomb County**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY VOSBURG, SUPPORTED BY DiMARIA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL AND OUTSIDE COUNSEL REGARDING THE CASE OF YARBROUGH VS. COUNTY OF MACOMB. **THE MOTION CARRIED.**

**Contract Issues with Benefit Control Methods for Senior Prescription Discounts**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY DeSAELE, SUPPORTED BY DUZYJ, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONSIDER LEGAL OPINION OF CORPORATION COUNSEL REGARDING CONTRACT ISSUES WITH BENEFIT CONTROL METHODS FOR SENIOR PRESCRIPTION DISCOUNTS. **THE MOTION CARRIED.**

**ADJOURNMENT**

**MOTION**

A motion was made by DiMaria, supported by Duzyj, to adjourn the meeting at 1:03 p.m. **The Motion Carried.**

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Corinne Bedard  
Committee Reporter